

the filtering system further assigns a value to the at least one solution variable based on the selected health questions, the set of links, and the user health data

The Applicant has rewritten claim 1 to emphasize that the value determined by the filtering system is associated with a solution variable as defined previously in the claim. In particular, a solution action is associated with at least one of the health solution elements, and a solution variable is associated with a quantity associated with each solution action. In addition, the Applicant has clarified that the links are included in a set of links.

The filtering system thus performs two functions. First, it generates a customized list of health solution elements for the user. Second, it determines a value that numerically defines at least one of the solution variables in the customized list of health solution elements. Both of these functions are performed based on the selected health questions, the set of links, and the user health data.

As an example, if the solution element is a food supplement, the solution action is to ingest the food supplement, and the solution variable generically defines the amount of the food supplement (e.g., quantity and/or frequency) to be ingested. Based on the selected health questions, the set of links, and the user health data, the filtering system: (a) generates the customized list of health solution elements and then (b) determines a numerical value (e.g., 3) associated with the solution variable associated with at least one of the health solution elements in the customized list (second function).

Accordingly, the customized list of health solutions does not simply suggest that a particular food supplement be ingested, but, based on other factors, such as gender, body weight, and/or activity level, indicates a specific amount of the particular food supplement be ingested (e.g., 3 grams and/or 3 times/day). The Applicant respectfully submits that the amendments to claim 1 render moot the rejection thereof under 35 USC § 112, second paragraph.

The Applicant respectfully submits that the amendment to claim 1 defined above clarifies the language cited by the Examiner and respectfully requests withdrawal of the

rejection under 35 USC § 112, second paragraph. The Applicant thus respectfully submits that amended claim 1, and claims 2-23 with depend from amended claim 1, are in condition for allowance.

The Applicant has also taken this opportunity to amend the language of claims 10 and 21 such that they correspond to each other and to correct a minor editing error in claim 11. The Applicant has further amended claims 20 and 23 such that the language thereof conforms to the amendments made to claim 1.

Submitted herewith is a document (entitled Exhibit A - Listing of All Claims and Amendments (02-09-2006)) containing a listing of the claims as currently presented. The attached Listing contains the text of each pending claim, along with any amendments made hereby (illustrated using strikethrough and underlining) and the status of each pending claim.

Given the foregoing, the Applicant respectfully submits that currently pending claims 1-23 are in condition for allowance, and such allowance is respectfully requested. If there is any matter which could be expedited by consultation with the Applicant's attorney, such would be welcome. The Applicant's attorney can normally be reached at the telephone number below.

Signed at Bellingham, County of Whatcom, State of Washington this 9th day of February, 2006.

Respectfully submitted,

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37 C.F.R. §1.8

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

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